

year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title III, add the following:

SEC. 356. MODIFICATION OF REQUIREMENTS FOR DISPOSAL OF MATERIALS CONTAINING PERFLUOROALKYL SUBSTANCES, POLYFLUOROALKYL SUBSTANCES, OR AQUEOUS FILM FORMING FOAM.

Section 330 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92; 10 U.S.C. 2701 note) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking “; or” and inserting a semicolon;

(B) in paragraph (2), by striking “; or” and inserting a semicolon;

(C) in paragraph (3), by striking the period at the end and inserting “; or”; and

(D) by adding at the end the following new paragraph:

“(4) have been sent to another entity or entities for disposal, including a waste processing facility, subcontractor, or fuel blending facility.”; and

(2) by adding at the end the following new subsections:

“(c) **REPORT.**—Not later than one year after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2022, and annually thereafter, the Secretary of Defense shall submit to the Administrator of the Environmental Protection Agency and the Committees on Armed Services of the Senate and the House of Representatives a report on all incineration by the Department of Defense of materials covered by subsection (b) during the one-year period preceding the submittal of the report, including—

“(1) the total amount of materials incinerated;

“(2) the temperature range at which the materials were incinerated;

“(3) the locations and facilities where the covered materials were incinerated;

“(4) details on actions taken by the Secretary to comply with this section; and

“(5) details on actions taken by the Department of Defense to implement the recommendations contained in the revised interim guidance on the destruction and disposal of PFAS and materials containing PFAS published by the Administrator of the Environmental Protection Agency under section 7361 of the National Defense Authorization Act for Fiscal Year 2020 (15 U.S.C. 8961), including the recommendation for safe storage of PFAS and materials containing PFAS until identified uncertainties are addressed and appropriate destruction and disposal technologies can be recommended.

“(d) **DEFINITIONS.**—In this section:

“(1) **AFFF.**—The term ‘AFFF’ means aqueous film forming foam.

“(2) **PFAS.**—The term ‘PFAS’ means perfluoroalkyl substances or polyfluoroalkyl substances.”.

SA 4127. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title III, add the following:

SEC. 356. MORATORIUM ON INCINERATION BY DEPARTMENT OF DEFENSE OF PERFLUOROALKYL SUBSTANCES, POLYFLUOROALKYL SUBSTANCES, AND AQUEOUS FILM FORMING FOAM.

Beginning on the date of the enactment of this Act, the Secretary of Defense shall not incinerate materials containing perfluoroalkyl substances, polyfluoroalkyl substances, or aqueous film forming foam until regulations have been prescribed by the Secretary that—

(1) implement the requirements of section 330 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92; 10 U.S.C. 2701 note); and

(2) take into consideration the interim guidance published by the Administrator of the Environmental Protection Agency under section 7361 of the National Defense Authorization Act for Fiscal Year 2020 (15 U.S.C. 8961).

SA 4128. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XII, add the following:

SEC. 1216. ADDITIONAL VISAS UNDER AFGHAN SPECIAL IMMIGRANT VISA PROGRAM.

Section 602(b)(3)(F) of the Afghan Allies Protection Act of 2009 (Public Law 111-8; 8 U.S.C. 1101 note) is amended, in the matter preceding clause (i), by striking “34,500” and inserting “38,500”.

SA 4129. Mrs. SHAHEEN for herself and Mr. PORTMAN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

Subtitle — Combating Synthetic Drugs

SEC. _01. SHORT TITLE.

This subtitle may be cited as the “Fighting Emerging Narcotics Through Additional Nations to Yield Lasting Results Act” or “FENTANYL Results Act”.

SEC. _02. PRIORITIZATION OF EFFORTS OF THE DEPARTMENT OF STATE TO COMBAT INTERNATIONAL TRAFFICKING IN COVERED SYNTHETIC DRUGS.

(a) **IN GENERAL.**—The Secretary of State shall prioritize efforts of the Department of State to combat international trafficking in covered synthetic drugs by carrying out programs and activities to include the following:

(1) Supporting increased data collection by the United States and foreign countries through increased drug use surveys among populations, increased use of wastewater

testing where appropriate, and multilateral sharing of that data.

(2) Engaging in increased consultation and partnership with international drug agencies, including the European Monitoring Centre for Drugs and Drug Addiction, and regulatory agencies in foreign countries.

(3) Carrying out the program to provide assistance to build the capacity of foreign law enforcement agencies with respect to covered synthetic drugs, as required by section _03.

(4) Carrying out exchange programs for governmental and nongovernmental personnel in the United States and in foreign countries to provide educational and professional development on demand reduction matters relating to the illicit use of narcotics and other drugs, as required by section _04.

(b) REPORT.—

(1) **IN GENERAL.**—Not later than one year after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report on the implementation of this section.

(2) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this subsection, the term “appropriate congressional committees” means—

(A) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

SEC. _03. PROGRAM TO PROVIDE ASSISTANCE TO BUILD THE CAPACITY OF FOREIGN LAW ENFORCEMENT AGENCIES WITH RESPECT TO COVERED SYNTHETIC DRUGS.

(a) **IN GENERAL.**—Notwithstanding section 660 of the Foreign Assistance Act of 1961 (22 U.S.C. 2420), the Secretary of State shall establish a program to provide assistance to build the capacity of law enforcement agencies of the countries described in subsection (c) to help such agencies to identify, track, and improve their forensics detection capabilities with respect to covered synthetic drugs.

(b) **PRIORITY.**—The Secretary of State shall prioritize assistance under subsection (a) among those countries described in subsection (c) in which such assistance would have the most impact in reducing illicit use of covered synthetic drugs in the United States.

(c) **COUNTRIES DESCRIBED.**—The foreign countries described in this subsection are—

(1) countries that are producers of covered synthetic drugs;

(2) countries whose pharmaceutical and chemical industries are known to be exploited for development or procurement of precursors of covered synthetic drugs; or

(3) major drug-transit countries as defined by the President.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Secretary to carry out this section \$4,000,000 for each of the fiscal years 2022 through 2026. Such amounts shall be in addition to amounts otherwise available for such purposes.

SEC. _04. EXCHANGE PROGRAM FOR GOVERNMENTAL AND NONGOVERNMENTAL PERSONNEL TO PROVIDE EDUCATIONAL AND PROFESSIONAL DEVELOPMENT ON DEMAND REDUCTION MATTERS RELATING TO ILICIT USE OF NARCOTICS AND OTHER DRUGS.

(a) **IN GENERAL.**—The Secretary of State shall establish or continue and strengthen, as appropriate, an exchange program for governmental and nongovernmental personnel in the United States and in foreign countries

to provide educational and professional development on demand reduction matters relating to the illicit use of narcotics and other drugs.

(b) **PROGRAM REQUIREMENTS.**—The program required by subsection (a)—

(1) shall be limited to individuals who have expertise and experience in matters described in subsection (a);

(2) in the case of inbound exchanges, may be carried out as part of exchange programs and international visitor programs administered by the Bureau of Educational and Cultural Affairs of the Department of State, including the International Visitor Leadership Program, in consultation or coordination with the Bureau of International Narcotics and Law Enforcement Affairs; and

(3) shall include outbound exchanges for governmental or nongovernmental personnel in the United States.

(c) **AUTHORIZATION OF ADDITIONAL APPROPRIATIONS.**—There is authorized to be appropriated to the Secretary to carry out this section \$1,000,000 for each of fiscal years 2022 through 2026. Such amounts shall be in addition to amounts otherwise available for such purposes.

SEC. 505. AMENDMENTS TO INTERNATIONAL NARCOTICS CONTROL PROGRAM.

(a) **INTERNATIONAL NARCOTICS CONTROL STRATEGY REPORT.**—Section 489(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291h(a)) is amended by inserting after paragraph (9) the following new paragraph:

“(10) **SYNTHETIC OPIOIDS AND NEW PSYCHOACTIVE SUBSTANCES.**—

“(A) **SYNTHETIC OPIOIDS.**—Information that contains an assessment of the countries significantly involved in the manufacture, production, or transshipment of synthetic opioids, including fentanyl and fentanyl analogues, to include the following:

“(i) The scale of legal domestic production and any available information on the number of manufacturers and producers of such opioids in such countries.

“(ii) Information on any law enforcement assessments of the scale of illegal production, including a description of the capacity of illegal laboratories to produce such opioids.

“(iii) The types of inputs used and a description of the primary methods of synthesis employed by illegal producers of such opioids.

“(iv) An assessment of the policies of such countries to regulate licit manufacture and interdict illicit manufacture, diversion, distribution, and shipment of such opioids and an assessment of the effectiveness of the policies’ implementation.

“(B) **NEW PSYCHOACTIVE SUBSTANCES.**—Information on, to the extent practicable, any policies of responding to new psychoactive substances (as such term is defined in section 707 of the FENTANYL Results Act), to include the following:

“(i) Which governments have articulated policies on scheduling of such substances.

“(ii) Any data on impacts of such policies and other responses to such substances.

“(iii) An assessment of any policies the United States could adopt to improve its response to new psychoactive substances.”

(b) **DEFINITION OF MAJOR ILLICIT DRUG PRODUCING COUNTRY.**—Section 481(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291(e)) is amended—

(1) in paragraph (2)—

(A) by striking “means a country in which—” and inserting the following: “means—

“(A) a country in which—”;

(B) by redesignating subparagraphs (A), (B), and (C) as clauses (i), (ii), and (iii), respectively, and moving such clauses, as so redesignated, two ems to the right;

(C) in subparagraph (A)(iii), as redesignated by this paragraph, by striking the semicolon at the end and inserting “; or”; and

(D) by adding at the end the following new subparagraph:

“(B) a country which is a significant direct source of illicit narcotic or psychotropic drugs or other controlled substances significantly affecting the United States;”; and

(2) by amending paragraph (5) to read as follows:

“(5) the term ‘major drug-transit country’ means a country through which are transported illicit narcotic or psychotropic drugs or other controlled substances significantly affecting the United States.”

SEC. 506. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the President should direct the United States Representative to the United Nations to use the voice and vote of the United States at the United Nations to advocate for more transparent assessments of countries by the International Narcotics Control Board; and

(2) bilateral, plurilateral, and multilateral international cooperation is essential to combating the trafficking of covered synthetic drugs.

SEC. 507. DEFINITIONS.

In this subtitle:

(1) The term “covered synthetic drug” means—

(A) a synthetic controlled substance (as defined in section 102(6) of the Controlled Substances Act (21 U.S.C. 802(6))), including fentanyl or a fentanyl analogue; or

(B) a new psychoactive substance.

(2) The term “new psychoactive substance” means a substance of abuse, or any preparation thereof, that—

(A) is not—

(i) included in any schedule as a controlled substance under the Controlled Substances Act (21 U.S.C. 801 et seq.); or

(ii) controlled by the Single Convention on Narcotic Drugs, done at New York March 30, 1961, or the Convention on Psychotropic Substances, done at Vienna February 21, 1971;

(B) is new or has reemerged on the illicit market; and

(C) poses a threat to the public health and safety.

SA 4130. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VII, add the following:

Subtitle D—Documentation and Testing of Exposure to Perfluoroalkyl and Polyfluoroalkyl Substances

SEC. 761. INCLUSION OF EXPOSURE TO PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES AS PART OF PERIODIC HEALTH ASSESSMENTS.

(a) **PERIODIC HEALTH ASSESSMENT.**—The Secretary of Defense shall ensure that any periodic health assessment provided to a member of the Armed Forces includes an evaluation of whether the member has been—

(1) based or stationed at a military installation identified by the Department of De-

fense as a location with a known or suspected release of perfluoroalkyl substances or polyfluoroalkyl substances during the period in which the member was based or stationed at the military installation; or

(2) exposed to such substances, including by evaluating any information in the health record of the member.

(b) **SEPARATION HISTORY AND PHYSICAL EXAMINATIONS.**—Section 1145(a)(5) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

“(D) The Secretary concerned shall ensure that each physical examination of a member under subparagraph (A) includes an assessment of whether the member was—

“(i) based or stationed at a military installation identified by the Department as a location with a known or suspected release of perfluoroalkyl substances or polyfluoroalkyl substances during the period in which the member was based or stationed at the military installation; or

“(ii) exposed to such substances, including by assessing any information in the health record of the member.”

(c) **DEPLOYMENT ASSESSMENTS.**—Section 1074f(b)(2) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

“(E) An assessment of whether the member was—

“(i) based or stationed at a military installation identified by the Department as a location with a known or suspected release of perfluoroalkyl substances or polyfluoroalkyl substances during the period in which the member was based or stationed at the military installation; or

“(ii) exposed to such substances, including by assessing any information in the health record of the member.”

SEC. 762. PROVISION OF BLOOD TESTING FOR MEMBERS OF THE ARMED FORCES, FORMER MEMBERS OF THE ARMED FORCES, AND THEIR FAMILIES TO DETERMINE EXPOSURE TO PERFLUOROALKYL SUBSTANCES OR POLYFLUOROALKYL SUBSTANCES.

(a) **MEMBERS OF THE ARMED FORCES.**—

(1) **IN GENERAL.**—If a covered evaluation of a member of the Armed Forces results in a positive determination of potential exposure to perfluoroalkyl substances or polyfluoroalkyl substances, the Secretary of Defense shall provide to that member, during that covered evaluation, blood testing to determine and document potential exposure to such substances.

(2) **INCLUSION IN HEALTH RECORD.**—The results of blood testing of a member of the Armed Forces conducted under paragraph (1) shall be included in the health record of the member.

(b) **FORMER MEMBERS OF THE ARMED FORCES AND FAMILY MEMBERS.**—The Secretary shall pay for blood testing to determine and document potential exposure to perfluoroalkyl substances or polyfluoroalkyl substances for any covered individual, at the election of the individual, either through the TRICARE program for individuals otherwise eligible for such program or through the use of vouchers to obtain such testing.

(c) **DEFINITIONS.**—In this section:

(1) **COVERED EVALUATION.**—The term “covered evaluation” means—

(A) a periodic health assessment conducted in accordance with section 761(a);

(B) a separation history and physical examination conducted under section 1145(a)(5) of title 10, United States Code, as amended by section 761(b); and

(C) a deployment assessment conducted under section 1074f(b)(2) of such title, as amended by section 761(c).

(2) **COVERED INDIVIDUAL.**—The term “covered individual” means a former member of